

**Court No. - 39**

**Case :-** WRIT - A No. - 9055 of 2024

**Petitioner :-** Shravan Pandey

**Respondent :-** State Of Up And 2 Others

**Counsel for Petitioner :-** Ankur Azad,Dhananjai Rai,Saumitra Anand,Shashwat Anand,Syed Ahmed Faizan

**Counsel for Respondent :-** C.S.C.,Fuzail Ahmad Ansari,M.N. Singh,Nisheeth Yadav

**Hon'ble Saumitra Dayal Singh,J.**

**Hon'ble Donadi Ramesh,J.**

1. Heard Sri Syed Farman Ahmad Naqvi, learned Senior Counsel assisted by Sri Shashwat Anand, learned counsel for the petitioner, Sri G.K. Singh, learned Senior Counsel assisted by Sri Nisheeth Yadav, learned counsel for the Uttar Pradesh Public Service Commission and Ms. Kirtika Singh, learned Additional Chief Standing Counsel for the State-respondents.
2. Comprehensive rejoinder affidavit in reply to the various affidavits filed by the Commission, has been filed today. It is taken on record.
3. While the issue raised by the petitioner is pending consideration by the Court, the Commission appears to have issued the revised result of U.P. P.C.S. (J) 2022, on 30.08.2024. Pursuant to that, further communication dated 04.09.2024 has been issued to the Government of Uttar Pradesh. Copy of the same has been supplied to us by learned Senior Counsel for the Commission. Perusal of the same reveals that pursuant to the revision of result undertaken by the Commission, on suo motu basis it has cancelled the result of two selected candidates and made recommendation in favour of two other candidates. The candidates whose selection has been cancelled also appear to have filed fresh writ petitions. This fact has been first disclosed to us by learned Counsel for the Commission who states that he has received notice in fresh writ petitions. Those proceedings have been instituted against receiving / notice nos.16396892024 and 16338792024.
4. Learned counsel for those candidates (now petitioners) Sri Alok Dwivedi and Sri Abhishek Bhushan state that those petitions have been filed yesterday.

5. Prima facie, issuance of subsequent / fresh result and making of fresh recommendations that too on suo motu basis after final result had been declared and given effect to inasmuch as appointment letters have been issued and candidates have joined and are already serving, it requires serious consideration if it was open to the Commission to adopt such course.

6. At this stage, we made query to the Additional Chief Standing Counsel for the State-respondents as to stand / response of the State. She prays for time to obtain clear written instructions from the Principal Secretary (Appointments). U.P. Lucknow.

7. The Commission may file a detailed affidavit with respect to exercise of tallying answer books and re-tallying of marks etc. undertaken as has resulted in fresh result declared on 30.08.2024. That affidavit may bring on record all steps taken by the U.P. P.S.C. as may have led to issuance of notice dated 14.06.2024 and all steps taken by the Commission thereafter culminating in the declaration of the fresh result on 30.08.2024 and making of the fresh recommendation to the State Government.

8. Accordingly, put up as fresh on 13.09.2024 in **top ten cases**.

**Order Date :- 6.9.2024**

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(Donadi Ramesh, J.)

(S.D. Singh, J.)